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ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			YANG, CLARA I	
			ART UNIT	PAPER NUMBER
			2612	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,077

Applicant(s)

FLICK, KENNETH E.

Examiner

Clara Yang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-23,30-46,48-52 and 54-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-23,30-46,48-52 and 54-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 8 February 2006, see page 19, with respect to claims 1, 18, 30, 46, and 57 have been fully considered and are persuasive. The 35 USC § 112, 2nd paragraph rejection of the claims has been withdrawn.
2. Applicant's arguments filed on 8 February 2006 have been fully considered but they are not persuasive.

a. Claims 1, 3-9, 11-17, 46, 48-52, and 54-56

The applicant states that amended claims 1 and 46 are patentable because Ogino's liquid crystal display" is not spaced apart from the head unit 1." Ogino's liquid crystal display (LCD) 1a, however, is spaced apart from other vehicle devices, such as CD changer 2, car security unit 10, etc. (see Fig. 1). Consequently, the examiner maintains the previous 35 USC § 102(e) rejection of claims 1 and 46.

b. Claims 18-23

On pages 20-22, per the applicant, there can be no proper motivation or suggestion to combine Ogino and Flick '571, because "one of ordinary skill in the art at the time of the present invention would not make the suggested combination, as an indication of a number of learned ID codes does not further the objective of outputting the stored vehicle number when a remote ID code matches a learned ID code, as this objective merely teaches that the ID code is learned, not that an unauthorized learning or greater than a threshold number hasn't taken place." The examiner respectfully disagrees for two reasons.

First, in addition to disclosing a single remote unit 11 that controls a plurality of vehicle security systems, Ogino discloses a plurality of remote units 11 that control a single vehicle

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security system after car security unit 10 learns each remote unit 11's ID code (see Col. 16, lines 19-67 and Col. 17, lines 1-11). Ogino's car security unit 10 has a controller 17 that switches to a learning mode (see Col. 16, lines 36-39) and communicates with head unit 1's LCD 1a to indicate that remote unit 11's ID code has been learned (see Col. 16, lines 52-64). Likewise, Flick '571 discloses a plurality of remote transmitters 50 that control a single building security system 10 (see Col. 4, lines 39-47). Flick's building security controller 10 has a controller 11 that also switches to a learning mode and communicates with building security system 10's remote transmitter verifying means 49 to indicate that remote transmitter 50's ID code has been learned (see Col. 39-42 and 51-67; and Col. 5, lines 1-5). Flick further teaches remote transmitter verifying means 49 indicating a number of learned ID codes to ensure the user that only the coded remote transmitters 50 under his/her control will operate building security system 10 (see Col. 5, lines 6-10 and 21-30). It would have been obvious to one of ordinary skill in the art to modify Ogino's RKE system as taught by Flick since car security unit 10 that indicates the number of learned ID codes ensures the user that only the remote units 11 under his/her control will operate car security unit 10.

Secondly, though Ogino teaches a remote keyless entry (RKE) system for a vehicle, and Flick teaches an RKE system for a building, one of ordinary skill in the art, such as Christenson (US 5,933,090), will recognize that an RKE system is suitable for both vehicles and buildings. Christenson states in Col. 10, lines 56-63, "[It] should be apparent to one of ordinary skill in the art that while the present invention is applicable to vehicular remote keyless entry systems, it is also suitable in conjunction with other control systems...such as...traditional building entrances, limited access areas and buildings, safes, jail cells, and the like." (Please note that

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Christenson was cited on the PTO-892 mailed on 27 December 2005.) Consequently, the Ogino and Flick '571 references are analogous.

For the above reasons, the examiner maintains the previous 35 USC § 103(a) rejection of claims 18-23.

c. Claims 30-45 and 57-67

On pages 23-24, the applicant asserts that claim 30 is directed to a vehicle control system's controller for learning the unique biometric characteristic "to permit control of a vehicle function by the user, and causing an indication of whether at least one new unique biometric characteristic has been learned." According to the applicant, the examiner "has mischaracterized the teachings of the Anzai et al. patent", because "the fingerprint recorded by the Anzai patent is not learned because it does not permit control of a vehicle function by the user". The examiner respectfully disagrees.

First, as indicated in the previous response mailed on 27 December 2005, the term "learn" is understood to mean "memorize" since claims 30 and 57 omit requiring that the learning process include permitting a user to control a vehicle function in addition to memorizing a user's biometric characteristic. Alternatively, claims 30 and 57 omit requiring that the controller indicates that at least one new biometric characteristic has been learned and that the user permitted to control a vehicle function.

Secondly, the phrase "to permit control of a vehicle function by the user" indicates the learning process's intended purpose and only requires the ability to so perform. During the enrollment process, Anzai's control unit 1 scans and records (i.e., memorizes) a user's fingerprint to permit control of a vehicle function by the user and asks for confirmation via display unit 41 after the fingerprint has been recorded (see Col. 4, lines 30-39; Col. 5, lines 63-67;

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Col. 6, lines 1-12; and Col. 7, lines 42-67). The user is then permitted to control a vehicle's function after confirmation of enrollment (see Col. 6, lines 25-60). Thus Anzai does teach control unit 1 learning the unique biometric characteristic in order to permit control of a vehicle function by the user and indicating that the new biometric characteristic has been recorded/memorized/learned, as called for in claims 30 and 57.

In response to applicant's argument on page 25 that one of ordinary skill in the art at the time of the present invention would not modify Anzai's vehicle system such that its components are connected to a bus as taught by Flick '460, Flick '460 clearly teaches the advantages of using a data bus in Col. 1, lines 65-67 and Col. 2, lines 1-3. Contrary to the assertion Application No. 10/043,077's specification is used to provide motivation for the combination, it is actually Flick '460 that provides the suggestion to combine the references.

Accordingly, the examiner maintains the USC § 103(a) rejection of claims 30-45 and 57-67 for the above reasons.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 4, 7, 16, 46, 48, 49, and 52 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogino et al. (US 6,100,792).

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Referring to claims 1 and 46, Ogino's vehicle, as shown in Fig. 1, comprises (a) bus line 6 extending from one location within a vehicle to another location (see Col. 5, lines 19-29); (b) a plurality of vehicle devices, e.g., head unit 1, CD changer 2, car security unit 10, etc. (see Col. 5, lines 19-29); and (c) head unit 1's a liquid crystal display (LCD) 1a (i.e., vehicle indicator) spaced apart from CD changer 2 and car security unit 10 and connected to bus line 6, wherein LCD 1a displays a 24-character message (see Col. 5, lines 3-8). Ogino's vehicle security system, as shown in Fig. 3, comprises (a) a two-way remote unit 11 (i.e., a portable uniquely coded transmitter) (see Col. 5, lines 37-46 and 51-58; and Col. 16, lines 19-24); (b) vehicle transceiver 12 having a receiver for receiving signals from at least one remote unit 11 (see Col. 5, lines 51-54); and (c) controller 17 spaced apart from head unit 1 (i.e., at least one vehicle device) and cooperating with transceiver 12 and bus 6 (see Col. 5, lines 62-67 and Col. 16, lines 36-44 and 52-64). Per Ogino, car security unit 10's controller 17 performs several functions: (1) communicates with CD changer 2 and head unit 1 via bus 6 (see Col. 5, lines 19-29 and Col. 16, lines 36-44 and 52-64); (2) switches to an ID code learning mode and learns at least one remote unit 11 to permit control of a vehicle function by a user (see Col. 16, lines 19-39); and (3) communicates with head unit 1, via bus 6 to cause LCD 1a to display "CODE ACCEPTED" when a new ID code has been registered/learned (see Col. 5, lines 19-29 Col. 16, lines 52-62).

Regarding claims 3 and 48, as explained in the previous rejection of claims 1 and 46, Ogino's vehicle indicator is LCD 1a (i.e., a visual display).

Regarding claims 4 and 49, Ogino teaches that LCD 1a is on the instrument panel of head unit 1, which contains a variety of operation keys for operating an FM/AM tuner, a cassette player, and CD changer 2, wherein the FM/AM tuner and the cassette player are built into head unit 1 (see Col. 5, lines 3-11).

Regarding claims 7 and 52, Ogino teaches that controller 17 communicates with head unit 1 via bus 6, as explained in the previous rejections of claims 1 and 46. Head unit 1 is a controllable vehicle device since its built-in FM/AM tuner and cassette player are controlled by a variety of operation keys and its LCD 1a is controlled by at least controller 17.

Regarding claim 16, Ogino's remote 11 comprises a transmitter for transmitting its unique ID code (see Col. 16, lines 19-27).

Claim Rejections-35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 6, 8, 9, 50, and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino et al. (US 6,100,792) as applied to claims 1, 7, and 46 above, and further in view of Flick (US 6,011,460).

Regarding claims 5, 6, 8, 9, 50, and 51, as show in Fig. 3, Ogino teaches that car security unit 10's controller 17 is connected to: (1) starter cutting relay 21 (see Col. 6, lines 17-19), which is a controllable vehicle device associated with starting of the engine as called for in claim 8; (2) siren driver 22 (see Col. 6, lines 19-22), which is a vehicle alarm indicator as called for in claims 6 and 51; (3) door sensor 24, bonnet sensor 25, radar sensor 26, impact sensor 27, and glass break sensor 28 (see Col. 6, lines 26-40), which are vehicle sensors as called for in claims 5 and 50; and (4) door lock module 34 (see Col. 6, lines 8-13), as called for in claim 9. Ogino, however, omits teaching that controller 17 is connected to the vehicle devices via a bus.

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In an analogous art, Flick teaches a vehicle security system, see Figs. 1-3, comprising: (a) remote transmitter 50 (see Col. 5, lines 32-58); (b) transmitter and receiver 13 at the vehicle for receiving signals from remote transmitter 50 (see Col. 4, lines 51-54); (c) data communications bus 62 that extends through various locations of the vehicle (see Col. 5, lines 11-31 and Col. 6, lines 24-30 and 50-58); (d) a plurality of vehicle devices (e.g., vehicle security sensor 60, alarm indicator 64, lock control unit 41, ignition switch 20, other control nodes 66, etc.) connected to bus 62 (see Col. 6, lines 1-9 and 50-58); and (e) central processing unit (CPU) 65 and bus interface 65 that is spaced apart from the vehicle devices for communicating with the vehicle devices via bus 62 (see Col. 6, lines 18-23).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ogino's controller 17 such that it is connected to the vehicle devices (such as starter cutting relay 21, headlight driver 23, sensors 23-28, and door lock module 34) via a bus as taught by as taught by Flick because connecting vehicle devices directly to a data bus that extends throughout a vehicle reduces (1) the amount of wiring, (2) wire routing problems, and (3) complications that may arise when troubleshooting the electrical system (see Flick, Col. 1, lines 65-67 and Col. 2, lines 1-3).

7. Claims 11-15, 18-20, 23, and 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino et al. (US 6,100,792) as applied to claims 1 and 46 above, and further in view of Flick (US 5,986,571).

Regarding claims 11-15 and 54-56, Ogino is silent on controller 17 causing the following: (1) an indication of when the last learning mode was entered, as called for in claim 11; (2) an indication for progressively indicating a passage of time since the learning mode was last entered, as called for in claim 12; (3) an indication of the number of learned remote transmitters,

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as called for in claims 13 and 54; (4) an indication of a change in the number of learned remote transmitters, as called for in claims 14 and 55; and (5) an indication of a change in a code of at least one of the learned remote transmitters, as called for in claims 15 and 56.

In an analogous art, Flick teaches a building security system 10, as shown in Fig. 3, comprising (a) remote transmitters 50 and (b) building security controller 11. Per Flick, building security controller 11 includes a transmitter and receiver 13 for receiving signals from remote transmitter 50 (see Col. 3, lines 46-50) and a central processing unit (CPU) 12 for communicating with building sensor 20, alarm indicators 23, and system indicators 24 (see Figs. 1 and 3; Col. 3, lines 61-67; and Col. 4, lines 39-47). Flick's CPU 12 has a remote transmitter learning means 47 for learning a remote transmitter 50 that is to switch building security controller 11 between armed and disarmed modes (see Col. 4, lines 39-42). Flick discloses that system indicators 24 include lights, audible tone generators, etc. (see Col. 4, lines 8-10 and Col. 5, lines 21-34) and are actuated by CPU 12 for: (1) indicating that building security controller 11 has entered a learning mode (see Col. 4, lines 63-56); (2) indicating when the learning mode was last entered (see Col. 5, lines 1-3); (3) progressively indicating a passage of time since the learning mode was last entered (see Col. 5, lines 3-5); (4) indicating the number of learned remote transmitters (see Col. 5, lines 21-26 and 48-51); (5) indicating a change in the number of learned remote transmitters (see Col. 5, lines 51-53); and (6) indicating a change in a code of at least one of the learned remote transmitters (see Col. 5, lines 51-53).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify controller 17 of Ogino as taught by Flick because having a controller 17 that is able to cause the various indications listed above (1) ensures a user that only the coded remote transmitters under his/her control may operate the vehicle security system,

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(2) prevents unauthorized remote transmitters from being surreptitiously learned by controller 23, and (3) enables a user to determine how recently the learn mode or transmitter change has occurred so that the user is able to correlate the change with someone's ability to access the system (see Flick, Col. 5, lines 26-30 and Col. 7, lines 43-47).

Referring to claim 18, as explained in the previous rejection of claims 1 and 46, Ogino teaches all the limitations except controller 17 causing an indication of a number of learned remote units 11.

In an analogous art, as explained in the previous rejection of claims 11-15 and 54-56, the limitation is taught by Flick.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ogino's controller 17 as taught by Flick because having a controller 17 that is able to cause an indication of a number of learned remote units 11 prevents unauthorized remote transmitters from being surreptitiously learned by controller 17 (see Flick, Col. 5, lines 26-30 and Col. 7, lines 43-47).

Regarding claims 19, 20, and 23, which are identical to claims 3, 4, and 7 respectively, Ogino teaches all the limitations as explained in the previous rejection of claims 3, 4, and 7.

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino et al. (US 6,100,792) as applied to claim 1 above, and further in view of Lambropoulos (US 5,736,935).

Regarding claim 17, Ogino omits teaching remote unit 11 being a transponder such that remote unit 11 responds to an interrogation signal.

In an analogous art, Lambropoulos teaches a keyless vehicle entry and engine starting system that includes a portable transceiver A (see Fig. 1) and a vehicle transceiver C (see Fig. 2). As shown in Fig. 2, vehicle transceiver C includes a radio frequency (RF) detector 70 for

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receiving transceiver A's coded signal (see Col. 6, lines 2-8) and microcomputer 80 for controlling vehicle devices, such as door lock motor 112, door unlock motor 114, and ignition start 115. Lambropoulos discloses that vehicle transceiver C has an RF oscillator 120 for transmitting an interrogation signal to transceiver A (see Col. 6, lines 65-67 and Col. 7, lines 1-15) and is able to learn the security codes of one or more transceivers A (see Col. 6, lines 21-47). Transceiver A responds to the interrogation signal by transmitting a reply to vehicle transceiver C (see Col. 5, lines 21-42); hence, transceiver A is a transponder.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ogino's security system as taught by Lambropoulos because a vehicle security system that includes a transponder that transmits its code when it receives an interrogation signal containing the proper interrogation code eliminates the need for manual operation of switches on a remote transmitter while maintaining a high level of security.

9. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino et al. (US 6,100,792) in view of Flick (US 5,986,571) as applied to claim 18 above, and further in view of Flick (US 6,011,460).

Regarding claims 21 and 22, which are identical with claims 5 and 6 respectively, Ogino and Flick '571 are silent on controller 17 being connected to (1) door sensor 24, bonnet sensor 25, radar sensor 26, impact sensor 27, and glass break sensor 28 (i.e., vehicle sensors, as called for in claim 21) and (2) siren driver 22 (i.e., a vehicle alarm indicator, as called for in claim 22) via a bus.

In an analogous art, as explained in the rejection of claims 5 and 6, Flick '460 teaches a plurality of vehicle devices (e.g., vehicle security sensor 60, alarm indicator 64, lock control unit

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41, ignition switch 20, other control nodes 66, etc.) connected to bus 62 (see Col. 6, lines 1-9 and 50-58).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ogino's controller 17, as modified by Flick '571, such that it is connected to the vehicle devices (such as starter cutting relay 21, headlight driver 23, sensors 23-28, and door lock module 34) via a bus as taught by as taught by Flick '460 because connecting vehicle devices directly to a data bus that extends throughout a vehicle reduces (1) the amount of wiring, (2) wire routing problems, and (3) complications that may arise when troubleshooting the electrical system (see Flick '460, Col. 1, lines 65-67 and Col. 2, lines 1-3).

10. Claims 30-39, 42, 43, 45, and 57-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai et al. (US 6,271,745) in view of Flick (US 6,011,460).

Referring to claims 30, 35, 45, 57, and 62, Anzai teaches a vehicle control system, as shown in Fig.1, comprising: (a) fingerprint sensors 11, 13, 15, and 39 for sensing a user's fingerprint (see Fig. 9, steps S89 and S91; and Col. 4, lines 24-28 and 44-45), as called for in claims 30, 45, and 57; (b) control unit 1 connected to sensors 11, 13, 15, and 39 (see Col. 4, lines 30-39), as called for in claims 30 and 57; and (c) a plurality of vehicle devices, such as dashboard unit 3, ignition switch status unit 5, lock unit 7, and engine immobilizer unit 9, as called for in claims 30 and 57. Per Anzai, control unit 1 performs the following steps: (1) communicates with the components of dashboard unit 3, ignition switch status unit 5, lock unit 7, and engine immobilizer unit 9 (see Figs. 5-9; Col. 4, lines 40-45 and 56-67; Col. 5, lines 1-19; and Col. 6, lines 25-60), as called for in claims 30 and 57; (2) enrolls or learns fingerprints of various users (see Col. 6, lines 64-66), as called for in claims 30 and 57; and (3) indicates that a new fingerprint has been learned by asking for confirmation of the enrollee via display unit 41 (see Col. 7, lines 58-

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67), as called for in claims 30 and 57. Anzai's control unit 1 is spaced apart from the vehicle devices as shown in Fig. 1 as called for in claims 30 and 57. Anzai's vehicle control system, though, lacks (1) a data bus extending throughout the vehicle, wherein the data bus connects control unit 1 to the vehicle devices, as required in claims 30 and 57, and (2) a vehicle alarm indicator, as required in claims 35 and 62.

In an analogous art, as previously explained in the rejections of claims 1, 18, and 46, Flick discloses that (1) data communications bus 62 extends throughout the vehicle (see Col. 5, lines 11-31 and Col. 6, lines 24-30 and 50-58) and that (2) vehicle security sensor 60, alarm indicator 64, and other control nodes 66 are connected to data bus 62 (see Col. 6, lines 1-9 and 50-58 and Col. 7, lines 59 - 67).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the vehicle security system of Anzai as taught by Flick because connecting vehicle devices directly to a data bus that extends throughout a vehicle reduces (1) the amount of wiring, (2) wire routing problems, and (3) complications that may arise when troubleshooting the electrical system (see Flick, Col. 1, lines 65-67 and Col. 2, lines 1-3). Furthermore, a vehicle alarm indicator thwarts theft by actuating the a siren and headlights when unauthorized access is detected (see Flick, Col. 7, lines 59-67), thereby enhancing vehicle security

Regarding claims 31, 32, 58, and 59, Anzai's dashboard unit 3 has a display unit 41 (i.e., "vehicle indicator") that is used by control unit 1 to indicate that a fingerprint has been scanned and recorded by prompting the owner for confirmation of an enrollee (see Col. 7, lines 62-67).

Regarding claims 33 and 60, Anzai's display unit 41 is within dashboard unit 3, which is an instrument panel (see Fig.3 and Col. 4, lines 40-50).

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Regarding claims 34 and 61, Anzai discloses that control unit 1 communicates with ignition switch status unit 5, which includes sensors 49, 51, and 53 (see Col. 4, lines 56-67), and lock unit 7, which includes sensor 67 (see Col. 5, lines 1-2 and 9-10).

Regarding claims 36-38 and 63, as explained above in claims 30 and 57, Anzai teaches that control unit 1 communicates with controllable vehicle devices (as called for in claims 36 and 63), such as lock unit 7 (as called for in claims 38 and 63) and engine immobilizer unit 9 (as called for in claim 37).

Regarding claims 39 and 64, Anzai teaches that a user is able to place control unit 1 in various modes via switches 43a and 43b on dashboard unit 3 (see Col. 6, lines 61-67 and Col. 7, lines 1-4). When a user selects the menu mode, control unit 1 enables the user to enroll additional users, view or deleted enrollees, and set up the system (see Fig. 4). When a user selects the enroll mode (see Fig. 8, steps S55 and S57), the display changes and prompts the user for the category of authorization (i.e., owner, driver, and non-drive) (see Col. 7, lines 42-45); hence the display of authorization categories is an indication that the learning mode has been entered.

Regarding claims 42, 43, 65, and 66, per Anzai, when the view/delete mode is selected via dashboard unit 3, display unit 41 provides a list of the initials and category of authorization for each enrollee (see Col. 8, lines 1-7); as shown at step S101 in Fig. 10, the record for the eighth enrollee of the twelve enrollees is displayed (as called for in claims 42 and 65). Consequently, each time an enrollee is added or deleted, the list indicates the change in the number of learned individuals (as called for in claims 43 and 66).

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11. Claims 40, 41, 44, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai et al. (US 6,271,745) in view of Flick (US 6,011,460) as applied to claims 30 and 57 above, and further in view of further in view of Flick (US 5,986,571).

Regarding claims 40, 41, 44, and 67, Anzai and Flick '460 are silent on control unit 1 causing the following: (1) an indication of when the last learning mode was entered (as called for in claim 40); (2) an indication for progressively indicating a passage of time since the learning mode was last entered (as called for in claim 41); and (3) an indication of a change in a learned unique biometric characteristic (as called for in claims 44 and 67).

In an analogous art, as previously explained in claims 11-15, 18-23, and 54-56, Flick '571 teaches a building security system 10 comprising (a) remote transmitters 50 and (b) building security controller 11 (see Fig. 3). Per Flick, building security controller 11 includes a transmitter and receiver 13 for receiving signals from remote transmitter 50 (see Col. 3, lines 46-50) and a central processing unit (CPU) 12 for communicating with building sensor 20, alarm indicators 23, and system indicators 24 (see Figs. 1 and 3; Col. 3, lines 61-67; and Col. 4, lines 39-47). Flick '571 discloses that system indicators 24 include lights, audible tone generators, etc. (see Col. 4, lines 8-10 and Col. 5, lines 21 - 34) and are actuated by CPU 12 for: (1) indicating when the learning mode was last entered (see Col. 5, lines 1-3); (2) progressively indicating a passage of time since the learning mode was last entered (see Col. 5, lines 3-5); and (3) indicating a change in a code of a learned remote transmitter (see Col. 5, lines 51-53).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify control unit 1 of Anzai and Flick '460 as taught by Flick '571 because having a control module 30 that is able to cause the various indications listed above (1) ensures a user that only the coded remote transmitters under his/her control may operate the

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vehicle security system, (2) prevents unauthorized remote transmitters from being surreptitiously learned by control module 30, and (3) enables a user to determine how recently the learn mode or biometric code change has occurred so that the user is able to correlate the change with someone's ability to access the system (see Flick '571, Col. 5, lines 26-30 and Col. 7, lines 43-47).

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clara Yang whose telephone number is (571) 272-3062. The examiner can normally be reached on 9:00 AM - 7:30 PM, Monday - Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Please note that Art Unit 2635 is now Art Unit 2612.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CY

27 March 2006


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